

REMARKS

Reconsideration and withdrawal of the rejections of and objections to the claims are respectfully requested in view of the amendments and remarks which follow.

Claims 68-101 have been canceled. New claims 102-132 have been added. As will be discussed in further detail below, claims 102-132 have been added to more distinctly claim that which Applicants regard as their invention and to advance prosecution. Applicants do reserve the right to file subsequent continuation and/or divisional applications on canceled subject matter. New claims 102-103 correspond to prior claims 68-69; new claims 104-106 correspond to prior claims 71-73; new claims 107-108 corresponds to prior claims 75-76; new claims 109-132 correspond to prior claims 78-101. Support for the new claims can be found in the specification and claims as originally filed. No new matter is added by this amendment.

I. The Rejection of Claims 68-101 Under 35 U.S.C. § 112 -Written Description

Claims 68-101 have been rejected under 35 U.S.C. 112, first paragraph as lacking written description. Applicants respectfully traverse the rejection for reasons given in the previous response. However, in order to advance prosecution, claims 68-101 have been canceled. As noted above, new claims 102-132 have been added. Applicants do note that the two provisos recited in new claim 102 are specifically supported by the specification on page 35, line 29 to page 35, line 7. In view of new claims 102-132, Applicants assert that the rejection of claims 68-101 under 35 U.S.C. 112, first paragraph have been overcome and should be withdrawn.

II. The Rejection of the Claims Over Acari et al.

Claims 68-69, 72, 74-76, 78, 84, 90, 92, 93 and 99-101 have been rejected under 35 U.S.C. 102(b) as being anticipated by Acari et al. (DE 2700012). It is asserted that compounds such as 5H-Imidazo[4,5-c]pyridine-5-carboximidamide, 1,4,6,7-tetrahydro-N-(1-methylethyl) anticipates said claims. The claims have been rejected under 35 U.S.C. 103 for the same reasons given in the 102 rejection.

Applicants respectfully traverse the rejection. However, in order to advance prosecution, Applicants note that claims 68-101 have been canceled. New claims 102-132 have been added. New claim 102 recites that

X is -CH₂-, -C(=O)-, -C(=S)-, -S(=O)-, -S(=O)₂-, -C(=N-CN)-, -C(=CH-NO₂)-, -C(=C(CN)₂)-, -C(=CH-CN)-, or -C(=N-S(=O)₂R^{11a})-,

Furthermore, new claim 102 contains the following proviso:

when X is -CO-, the group -Y-A-Z starts with the radical -NH-, R¹= hydrogen, the remainder of the group -Y-A-Z must not be unsubstituted or C₁₋₆-alkoxy substituted phenyl, unsubstituted C₃₋₈-cycloalkyl or unsubstituted C₁₋₆-alkyl

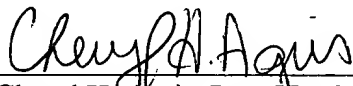
Claims 102—132 are not anticipated by nor obvious over Acari et al. Therefore, Applicants respectfully request that the rejections under 35 U.S.C. 102 and 103 be withdrawn.

III. Conclusion

In view of the above, it is respectfully submitted that all claims are in condition for allowance. Early action to that end is respectfully requested. The Examiner is hereby invited to contact the undersigned by telephone if there are any questions concerning this amendment or application.

Respectfully submitted,

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